

REMARKS

Claims 2-14 and 17-21 are pending in the application upon entry of the amendments. Claims 2, 9, 12-14, and 17-20 have been amended for consistency and to streamline examination. Claims 15 and 16 have been cancelled without prejudice to expedite allowance of the application. It is noted that the amendments do not impact the Restriction/Election Requirement. Favorable examination in light of the amendments is respectfully requested.

The Restriction/Election Requirement

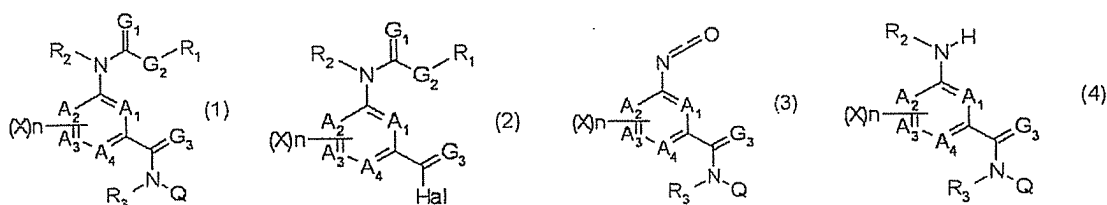
The Examiner is imposing a Restriction/Election Requirement on the claims, categorizing the claims as follows:

- Group I: claims 1-8, 12-14, and 17-21 where A1-A4 are C,
- Group II: claims 1-8, 12-14, and 17-21 where one of A1-A4 are N,
- Group III: claims 1-6, 12-14, and 17-21 where two of A1-A4 are N ,
- Group IV: claims 1-6, 12-14, and 17-21 where three of A1-A4 are N,
- Group V: claims 1-6, 12-14, and 17-21 where A1-A4 are N,
- Group VI: claim 9 where A1-A4 are C,
- Group VII: claim 9 where one of A1-A4 are N,
- Group VIII: claim 9 where two of A1-A4 are N ,
- Group IX: claim 9 where three of A1-A4 are N,
- Group X: claim 9 where A1-A4 are N,
- Group XI: claims 10 and 11 where A1-A4 are C,
- Group XII: claims 10 and 11 where one of A1-A4 are N,
- Group XIII: claims 10 and 11 where two of A1-A4 are N ,
- Group XIV: claims 10 and 11 where three of A1-A4 are N,
- Group XV: claims 10 and 11 where A1-A4 are N, and
- Group XVI: claims 15 and 16 to aniline derivatives.

Applicant elects with traverse Group I for examination. Claims 2-8, 12-14, and 17-21 read on elected Group I.

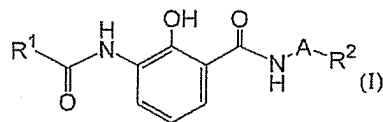
Traversal is made on the grounds that the Examiner has not established that a Restriction/Election Requirement is warranted. It is also noted that the PCT rules for unity apply to this application, as the instant application is a National Phase filing of a PCT application. The PCT rules for unity are satisfied by the pending claims.

Compounds represented by formulae (1), (2), (3), and (4) are shown as follows. Since claims 15 and 16 are cancelled, formulae (8) and (9) are not shown.



Compounds represented by formulae (1), (2), (3), and (4) have a common chemical structure. More specifically, the common chemical structure includes a carbamate group or a carbamate-induced substituent bonded on a six member ring, an amide group, or an amide induced substituent at the meta position of the six membered ring and an "X" group bonded at a specific position of the six membered ring. Furthermore, Xs may be the same or different and each represents a hydrogen atom, a halogen atom, a C1-C4 alkyl group, a C1-C4 haloalkyl group, a C1-C4 alkoxy group, a C1-C4 haloalkoxy group, a C1-C4 alkylthio group, a C1-C4 haloalkylthio group, a C1-C4 alkylsulfinyl group, a C1-C4 haloalkylsulfinyl group, a C1-C4 alkylsulfonyl group, a C1-C4 haloalkylsulfonyl group, a cyano group, a nitro group, or an amino group which may be substituted by a C1-C4 alkyl group.

The Office Action on page 3 contends that JP 11-511442 anticipates that claims. Applicants respectfully disagree. The compound of formula (i) of JP 11-511442 is as follows.



It is noted that the compound of formula (I) of JP 11-511442 has a hydroxyl group at the ortho position of a benzene ring. However, as demonstrated by comparing formula (I) of JP 11-511442 with compounds represented by formulae (1), (2), (3), and (4) of the pending claims shown above, there are clear differences (for example, see the “X” group of formulae (1), (2), (3), and (4) of the pending claims).

What this means is that the “X” group of formulae (1), (2), (3), and (4) of the pending claims is a common structure contributing to the novelty of the pending claims and distinguishing the art. The common structure contributing to the novelty of the pending claims relates to single inventive concept under PCT Rule 13.2, which means that Groups I-XV of claims 2-14 and 17-21 should be examined as one Group. Whether or not A1-A4 are carbon or nitrogen (or different numbers of nitrogen atoms), the common novel feature is the “X” group of formulae (1), (2), (3), and (4), not the identity of the ring skeleton atoms. In this connection, searching the art is not unduly burdensome.

In the event the Examiner does not find the above comments persuasive, consideration of the following comments establishing partial traverse is respectfully requested. With specific regard to Groups II-V, VII-X, or XII-XV, only the number of nitrogen atoms provides a basis to distinguish each Group. However, the number of nitrogen atoms does not affect the search, and is removed from the point of novelty

described above with regard to the Xs. Therefore, Groups II-V, VII-X, or XII-XV should be considered a single Group.

Petition for Extension of Time

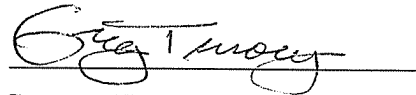
A request for a one month extension of time is hereby made. Payment is being made through the EFS electronic filing system.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-1063.

Respectfully submitted,

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